IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO.442 OF 2006
IN
NOTICE OF MOTION NO.1113 OF 2006
IN
SUIT NO.858 OF 2006

Rita M.Dadarkar & Ors. ....Appellants
V/s.
Shivai C.H.S. & Ors. ....Respondents

Mr.Rakesh Kumar i/b M/s. Legal Vision for the Appellants.
Mr.Praveen Samdani with Mr.Ketan Chotani and Mr.H.S. Murthy for Respondent No.1.
Mr.Paresh S.Madhaikar for Respondent No.3.
Mr.M.K. Upadhyay for Respondent No.10.

CORAM : DR.S. RADHAKRISHNAN & S.J. VAZIFDAR, JJ.
DATED : 4TH AUGUST, 2006.

P.C. :

1. Heard the learned counsel for the Appellant and the learned counsel for the Respondents.

2. After hearing the parties for some time, the learned counsel for the Appellant and Respondents agree that the Appellant will be entitled to retain the construction of tin sheets around periphery of the property near the compound wall. The learned counsel for the Appellant states that the Appellant will file an additional affidavit in reply before the learned

Single Judge within a period of two weeks from today. Having regard to the facts and circumstances of the present case, we request the learned single Judge to expedite the hearing of the above Notice of Motion and dispose of the same. The Appeal stands disposed of accordingly.

3. Needless to mention that the parties are at liberty to move the learned Single Judge for early date of hearing.

(DR.S. RADHAKRISHNAN, J.)

(S.J. VAZIFDAR, J.)